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August 30, 2010

**VIA ELECTRONIC FILING**

Honorable Michael A. Shipp  
U.S. Magistrate, United States District Court  
Martin Luther King Building & U.S. Courthouse  
50 Walnut Street  
Newark, NJ 07102

Re: **Walsh Securities, Inc. v. Cristo Property Management, et al.**  
**Civil Action No. 97-3496**

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Dear Judge Shipp:

This firm represents Fidelity National Title Insurance Company and Nations Title Insurance Company (collectively, "Fidelity") in the above-referenced proceedings. We are in receipt of the letter submitted by David Kott on behalf of Commonwealth Land Title Insurance Company ("Commonwealth") in opposition to the letter submitted by Robert Magnanini regarding whether certain witness statements are discoverable. Fidelity hereby joins in the opposition submitted on behalf of Commonwealth because (i) the redacted witness statements at issue are not protected work-product, (ii) the work-product doctrine does not extend to purely factual statements, and (iii) Plaintiff waived any work-product protection that might apply to the witness statements when it voluntarily provided them to Commonwealth.

Thank you.

Respectfully submitted,

Edward J. Hayes

EJH:rcr

cc: Robert A. Magnanini, Esquire (via e-mail)  
David R. Kott, Esquire (via e-mail)  
Martin R. McGowan, Esquire (via e-mail)  
All Counsel on Attached List

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